

Reconsideration of this application in light of the present remarks is respectfully requested.

RESPONSE TO RESTRICTION REQUIREMENT: The above-identified application is subject to a restriction requirement as between:

Group I: Claims 1-9, drawn to a method of separating a thin die, classified in class 29, subclass 825;

Group II: Claims 10-16, drawn to a method of separating a thin die, classified in class 29, subclass 870; and

Group III: Claims 17-20, drawn to a method of separating a thin die, classified in class 29, subclass 830, on the grounds that:

Group I and Group II-III are related as combination and subcombination, and are distinct if it can be shown that: (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) the subcombination has utility by itself or in other combinations. In particular, the combination of Group I does not require activating the vacuum source of Group II-III, and the subcombination of Group II-III has separate utility such as the clamping the thin die, and

Group II and Group III are related as combination and subcombination, and are distinct if it can be shown that: (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) the subcombination has utility by itself or in other combinations. In particular, the combination of Group II does not require positioning the wafer on a rigid backing having a hole and/or moving the die of Group III, and the subcombination of Group III has separate utility such as separating a die with an outer perimeter defined by an open trench.

Applicants herewith provisionally elect to prosecute the Group I claims (1-9), with traverse.

AMENDMENT

Independent claim 1 (Group I) has been amended remove the reference to a rigid backing with a hole that is not recited in Claim 10, and to specifically include the clamping of the thin die.

Independent claim 10 (Group II) has been amended to add the recitation from claim 1 (and claim 11, which has been recast to recite the rigid backing with a hole, removed from claim 1) for moving the ejection pin upward in the direction of the tip of the handler until the thin die is extracted from the wafer.

Independent claim 17 (Group III) has been amended to add the recitation from claim 1 for moving the ejection pin upward in the direction of the tip of the handler until the thin die is extracted from the wafer, and to specifically include the clamping of the thin die.

As a result amended claims 10 and 17 now include all of the recitations of claim 1.

The Restriction Requirement contends that Groups I and II are related as combination and subcombination. As set out in the Office Action, such inventions are distinct if both of two criteria are met. The second criterion is that the subcombination has utility by itself. The independent claims 1, 10 and 17 have been amended such that all the claims contain the same core set of combinations. Therefore, the recitations of the amended independent claims do not have separate utility from each other. In particular, the utility of the broader method of amended claim 1 is within the scope of utility the claim 10 method, which itself is within the scope of utility the claim 17 method. Moreover, the Examiner states that all three Groups are drawn to a method of separating a thin die.

In addition, applicants respectfully submit that the subcombinations of tethers and open trenches as specified in claims 10 and 17 are encompassed within the broader scope of an attachment mechanism as specified in claim 1. Therefore, the groups are not distinct from each other and will require the same search, which should not be considered burdensome.

For these reasons, and through applicants' re-fashioning of the independent claims, the amended claims in Groups I, II and III do not represent distinct inventions. Accordingly, the amended claims in Groups I, II and III should properly be treated as a single group. Therefore, Applicants respectfully request that the Restriction Requirement for Groups I, II and III be withdrawn and that the amended claims be considered together and examined in the present

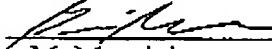
application.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Authorization is hereby given to charge any fees necessitated by actions taken herein to Deposit Account 50-2117.

Customer Number 22917
Motorola, Inc.
Law Dept. - 3rd floor
1303 E. Algonquin Rd.
Schaumburg, IL 60196

Respectfully submitted,
Shiuh-Hui Steven Chen

By: 
Brian M. Mancini
Attorney for Applicant(s)
Registration No. 39,288
Phone: (847) 576-3992
FAX: (847) 576-3750